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A World Court

By HON. JOHN HAYS HAMMOND

Washington, D. C.

THE possibility of a world war of the magnitude of that just fought was, prior to August, 1914, regarded by the great minds of the world as preposterous. There existed always, it is true, the possibility of a war between two or three of the great European powers, but that the entire world—with the exception of a few of the smaller nations—should have dedicated its genius to the ruthless destruction of life and property is, indeed, an anomaly of our twentieth century's vaunted civilization.

The great outstanding lesson of the World War is that war itself is an insensate waste of human life and of the fruits of human industry. We have seen that in a war of this magnitude, the victor suffers with the vanquished; that the damage to both victor and vanquished is irreparable, and that, from all points of view, the arbitraments of arms is an egregious folly.

For this reason, when the war was ended—indeed, anticipating its conclusion—representative men of all nations recognized the necessity of providing some means other than war to settle international controversies. This was the origin of the League of Nations created at the Paris peace conference. But many statesmen, in this country especially, considered the League of Nations as not only not a guaranty of world peace, but as actually conducive to future wars. However this may be, there was an honest difference of opinion as to the practicability of the proposed League of Nations.

The mandate of the American people, as expressed in our recent national election, was unqualifiedly against participation by our government, not only in the proposed League of Nations, but against the recognition of any super-government, or of any league which involves, even in a remote degree, the derogation of our national sovereignty. This may now be regarded as a political maxim of our governmental policy in its foreign relations.

At the same time, it is the consensus of our statesmen, and men of affairs, that some kind of an association of nations is essential to preserve the peace of the world. They recognize that if we are to maintain our international rights and to promote our interests abroad, we must be prepared to accept certain responsibilities as a great world power, and can not assume an attitude of aloofness.

While affirming that abstention from entangling alliances will be the policy of our government, it nevertheless desires to lend its moral influence towards effecting the economic rehabilitation of Europe, in which we, as a nation, are vitally concerned; and also in the settlement of other questions requiring concerted consideration and deliberation. The attitude of our government to be represented in the official deliberations of the Allies in pursuance of this policy is to be commended.

Those of us who were identified with the World Court League of America, having for its object the creation of an international tribunal at the termina-

tion of hostilities, are still of the opinion that such a tribunal, the prototype of which we have in the Supreme Court of the United States, would logically serve as the focus of an association of nations.

To such a court all justiciable questions could be submitted. To deal with non-justiciable questions—and many controversies in this category are provocative of war—there should be a council of conciliation. Through these agencies—a world court and a council of conciliation—a body of international law would in time be developed, which would result in the elimination of many disputes from the necessity of diplomatic intervention. No one believes that this or any other plan would render war impossible, but would, at least, greatly minimize the liability of war. Whether the court should have compulsory jurisdiction and whether the council of conciliation should be invested with sanction is, many of us believe, a matter for subsequent international agreement.

Without these functions, the court and the council of conciliation would admittedly “lack the teeth,” which some regard as indispensable to success of this program. Inasmuch as this procedure follows the line of easy accomplishment, it would seem wise to take this as the first step toward the achievement of a more ambitious project, which, because of its complexity and inherent objectionable features, would be beset by almost insuperable objects at its inception. The plan suggested is free from the objection urged against the enforcement of peace by military power. Its efficacy would depend, until the nations themselves in the future agree to the application of coercive intervention, upon the pressure of public opinion to compel the observance of international obligations.

One of the great burdens which the

present generation has had to bear is the economic waste involved in “armed peace,” and yet disarmament on our part in the present state of international relations, unless other great powers disarm at the same time, would be the height of folly, if not a criminal blunder. Today, in spite of the fact that many of the great nations of the world are on the verge of bankruptcy, there is an uninterrupted increase of naval armaments.

England has added greatly to her navy since the Armistice, and so have the United States and Japan. It is undeniably an insensate waste of the capital so greatly needed to rehabilitate industry. These armaments are alleged to be for purposes of defense. A halt should be called on this reckless expenditure of the life blood of industry and commerce, indispensable to the welfare of civilization.

Disarmament can be effected by a straightforward, unequivocal message—a message not couched in vague diplomatic language—from our government to England and Japan, to the effect that the United States has no ambition to attain the supremacy of the seas, but that she is nevertheless determined not to accept a subordinate naval position; that in this our policy is inflexible. We should emphasize our inflexibility of purpose, because a vacillating policy on our part would encourage rather than discourage competitive armaments both by England and Japan. When those nations fully realize the futility of competing with us to gain naval superiority, they will gladly and quickly agree to the limitations of naval armaments—and not before. As the first step in naval disarmament, there should be an immediate cessation in the building of capital ships, and all naval expenditures should be strictly limited to the needs of coast defense.